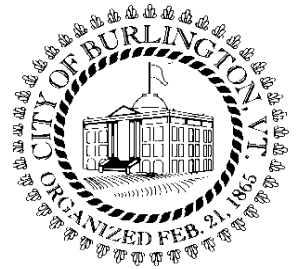


## Department of Permitting and Inspections

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## MEMORANDUM

**To:** The Design Advisory Board  
**From:** Mary O'Neil, AICP, Principal Planner  
**RE:** ZP20-0667CA; 188 South Champlain Street  
**Date:** ~~March 24, 2020~~ ~~April 14, 2020~~ ~~April 28, 2020~~ May 26, 2020

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**File:** ZP20-0667CA

**Location:** 188-192 South Champlain Street

**Zone:** RH **Ward:** 5S

**Parking District:** Neighborhood

**Date application accepted:** January 29, 2020

**Applicant/ Owner:** Dave Perras

**Request:** Convert single family to six units. Expanded parking. Request for a 6 space parking waiver.

### Background:

#### 188 South Champlain Street

- **Zoning Permit 20-0662LL;** Boundary Line Adjustment (merger) with 192 South Champlain Street. February 2020.
- **Zoning Permit 11-0204CA;** construct handicapped access ramp at rear of house. September 2010. [Property identified as a single family home on application, *with six roomers.*] September 2010.
- **Zoning Permit 79-268;** enclose porch to make a room with door to outside. No additional coverage. June 1979. [Property identified as a single family home.]
- **Zoning Permit application ZP CU-2003-049;** establish a 7-room boarding house in an existing single family home. Public hearing 6.17.2003; hearing opened and continued for more information. No subsequent public hearing identified, no project folder in zoning history files, no decision is recorded. Assumed withdrawn.
- **Zoning Permit n.n.;** erect a 8' x 14' wood storage shed in the rear yard. June 1978.
- **Zoning Permit 77-320;** erect a 15' x 6' rear open porch. September 1976.

#### 192 South Champlain Street

- Zoning Permit 20-0663LL; Boundary Line Adjustment (merger) with 188 South Champlain Street.

### Overview:

188 South Champlain Street has recently been merged with the empty lot at 192 South Champlain Street. The owner wishes to convert the existing single-family home to a 6 unit

residential building. Although there was an application in 2003 by the same owner/family for a 7-bedroom boarding house, there is no project folder and no record of a decision.

### **Part 1: Land Division Design Standards**

188 and 192 South Champlain Street have recently been merged (ZP20-0662LL and ZP20-0663LL)

### **Part 2: Site Plan Design Standards**

#### **Sec. 6.2.2 Review Standards**

##### **(a) Protection of Important Natural Features:**

There is a large maple tree on 192 South Champlain Street, which is proposed to be retained.

##### **(b) Topographical Alterations:**

A large parking area is proposed to be introduced on the (former) 192 parcel, although a permit for a handicap ramp at 188 South Champlain Street in 2011 referenced parking provided off-site. An Erosion Prevention and Sediment Control plan will be required for the proposed ground disturbance and introduction of an expanded parking area.

##### **(c) Protection of Important Public Views:**

Not applicable.

##### **(d) Protection of Important Cultural Resources:**

*Burlington's architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Archeological sites likely to yield information important to the city's or the region's pre-history or history shall be evaluated, documented, and avoided whenever feasible. Where the proposed development involves sites listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8(b).*

188 South Champlain Street is listed on the Vermont State Register of Historic Resources. See Section 5.4.8, below.

##### **(e) Supporting the Use of Renewable Energy Resources:**

No part of this application would preclude the use of wind, water, solar, geothermal, or other renewable energy resource.

##### **(f) Brownfield Sites:**

The parcel is not listed on DEC's website as a Brownfield.

##### **(g) Provide for nature's events:**

*Special attention shall be accorded to stormwater runoff so that neighboring properties and/or the public stormwater drainage system are not adversely affected. All development and site disturbance shall follow applicable city and state erosion and stormwater management guidelines in accordance with the requirements of Art 5, Sec 5.5.3.*

The amount of site work required to install the parking area will require a Small Project Sediment Control Plan, and potentially a Stormwater Management Plan. The project plans have been submitted to the City Stormwater Engineering program to review. Written approval of the plan will be a condition of any approval.

*Design features which address the effects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage from circulation areas shall also be incorporated.*

There is no identified snow removal or storage identified on the site plan.

Building entrances are largely uncovered, exposing residents to inclement weather. Canopies or entry shelter are typically recommended.

**(h) Building Location and Orientation:**

The existing building at 188 South Champlain will remain with no change to street orientation.

**(i) Vehicular Access:**

Vehicle access is proposed to continue through an existing curb cut on the 188 South Champlain Street parcel, leading to a newly establishing parking area on the former 192 parcel.

**(j) Pedestrian Access:**

No change is proposed from the current building access from the public sidewalks. There is, however, no well-defined pedestrian route through the parking areas to the primary building access points. This should be designed to provide a physical separation between vehicles and pedestrians in a manner that minimizes conflicts and improves safety.

**(k) Accessibility for the Handicapped:**

ADA compliance is under the jurisdiction of the building inspector. If six units spurs the requirement for a handicap accessible parking space, an access aisle of 5' in width will need to be added and marked in the parking area.

**(l) Parking and Circulation:**

In the Neighborhood Parking District, 2 parking spaces are required for every residential unit. 6 units will require 12 on-site parking spaces, which are illustrated on the plan. All parking spaces are dimensioned for compact cars (18' length.) The required 24' of backup space is provided. The minimum required 5' parking setback is provided from the north, south and east property lines.

This standard states: *To the extent possible, parking should be placed at the side or rear of the lot and screened from view from surrounding properties and adjacent public rights of way.*

While the parking is arranged on the side of the lot, screening is required between it and the street, and neighboring property to minimize the visual impacts.

Although the empty side yard can accommodate the required 12 parking spaces (2/unit), the applicant has requested a 50% parking waiver as a reflection of the 6 one-bedroom units, and a desire not to pave such a large portion of the yard. If supported, a revised site plan will be needed to reflect the (requested) smaller parking area for 6 vehicles.

The parking area is identified as gravel. To avoid “parking creep” and vehicular pull of gravel out into the street, the parking lot should be paved and parking spaces clearly marked. The perimeter of the parking area must be designed with curb stops, landscaping, or other such physical barrier to prevent vehicles from encroaching into adjacent green spaces and into required setbacks.

This standard also requires shading of 30% of the parking area. The applicant shall define the new tree species, caliper and their location, unless existing trees can provide the required shading.

The applicant has not defined the number and location of bicycle parking spaces.

**(m) Landscaping and Fences:**

No landscaping plan has been provided. Screening will be required for the parking area. See 6.2.2 (l), above.

**(n) Public Plazas and Open Space:**

Not applicable.

**(o) Outdoor Lighting:**

*Where exterior lighting is proposed the applicant shall meet the lighting performance standards as per Sec 5.5.2.*

The submission include a fixture spec sheet for a wall mounted residential fixture. The location of these installations is not identified on the plans and should be.

**(p) Integrate infrastructure into the design:**

*Exterior storage areas, machinery and equipment installations, service and loading areas, utility meters and structures, mailboxes, and similar accessory structures shall utilize setbacks, plantings, enclosures and other mitigation or screening methods to minimize their auditory and visual impact on the public street and neighboring properties to the extent practicable.*

The location of mailboxes is not identified on the plans. If there is any mechanical equipment proposed, it, too should be illustrated on the site plan and building elevations as appropriate.

*Utility and service enclosures and screening shall be coordinated with the design of the principal building, and should be grouped in a service court away from public view. On-site utilities shall be place underground whenever practicable. **Trash and recycling bins and dumpsters shall be located, within preferably, or behind buildings, enclosed on all four (4) sides to prevent blowing trash, and screened from public view.***

Since the shed is proposed for removal, the location of trash and recycling needs to be identified; designed to be screened from public view and enclosed on all four sides.

*Any development involving the installation of machinery or equipment which emits heat, vapor, fumes, vibration, or noise shall minimize, insofar as practicable, any adverse impact on neighboring properties and the environment pursuant to the requirements of Article 5, Part 4 Performance Standards.*

See note above about mechanical equipment.

**Part 3: Architectural Design Standards**  
**Sec. 6.3.2 Review Standards**

**(a) Relate development to its environment:**

**1. Massing, Height and Scale:**

The existing building will remain, with a newly design access deck on the east and south.

**2. Roofs and Rooflines.**

The existing building will remain. The proposed deck will have no roof.

**3. Building Openings**

All windows are proposed for replacement; some are double hung and others casement. Although one specification sheet defines “Wood casement”, the cross section illustrates voids in the window frame, sill and apron, suggesting a composite structural material. Confirmation of **solid wood core windows**, and casement windows with a strong meeting rail to visually replicate a double hung window, will be required.

At least 3 of the windows will be replaced with doors to access new units.

**(b) Protection of Important Architectural Resources:**

*Burlington’s architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Where the proposed development involves buildings listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8. The introduction of new buildings to a historic district listed on a state or national register of historic places shall make every effort to be compatible with nearby historic buildings.*

See Section 5.4.8.

**(c) Protection of Important Public Views:**

Not applicable.

**(d) Provide an active and inviting street edge:**

Aside from the replacement of the third-floor gable end window, the primary façade will remain intact. Care should be exercised in this particular window replacement so as not to alter the character of this state-registered listed historic building.

**(e) Quality of materials:**

*All development shall maximize the use of highly durable building materials that extend the life cycle of the building, and reduce maintenance, waste, and environmental impacts. Such materials are particularly important in certain highly trafficked locations such as along major streets, sidewalks, loading areas, and driveways. Efforts to incorporate the use of recycled content materials and building materials and products that are extracted and/or manufactured within the region are highly encouraged.*

*Owners of historic structures are encouraged to consult with an architectural historian in order to determine the most appropriate repair, restoration or replacement of historic building materials as outlined by the requirements of Art 5, Sec. 5.4.8.*

The construction of connecting stairs/decks present a large building addition that is not historically consistent with the building in materials or massing. The DRB has consistently upheld a prohibition on pressure treated material as a visible material on historic building porches due to the incongruity of the material in close proximity to original materials. See Section 5.4.8, below.

**(f) Reduce energy utilization:**

All new construction is required to meet the Guidelines for Energy Efficient Construction pursuant to the requirements of *Article VI. Energy Conservation, Section 8* of the City of Burlington code of Ordinances.

**(g) Make advertising features complementary to the site:**

No signs are included in this review. Any signage will require a separate sign permit.

**(h) Integrate infrastructure into the building design:**

See Section 6.2.2. (p) above.

**(i) Make spaces secure and safe:**

As a three story residential building, the building inspector has indicated that the building will need to be fully sprinklered.

Construction shall meet all applicable building and life safety codes as defined by the building inspector and/or fire marshal.

**Sec. 5.4.8 Historic Buildings and Sites**

*The City seeks to preserve, maintain, and enhance those aspects of the city having historical, architectural, archaeological, and cultural merit. Specifically, these regulations seek to achieve the following goals:*

*To preserve, maintain and enhance Burlington's historic character, scale, architectural integrity, and cultural resources;*

*To foster the preservation of Burlington's historic and cultural resources as part of an attractive, vibrant, and livable community in which to live, work and visit;*

*To promote a sense of community based on understanding the city's historic growth and development, and maintaining the city's sense of place by protecting its historic and cultural resources; and,*

*To promote the adaptive re-use of historic buildings and sites.*

**(a) Applicability:**

*These regulations shall apply to all buildings and sites in the city that are listed, or eligible for listing, on the State or National Register of Historic Places.*

188 South Champlain Street is listed within the original **King Street / Battery Street Historic District** on the National Register of Historic Places. See attached detail sheet.

*(b) Standards and Guidelines:*

*The following development standards, following the Secretary of the Interior's Standards for the Treatment of Historic Properties, shall be used in the review of all applications involving historic buildings and sites subject to the provisions of this section and the requirements for Design Review in Art 3, Part 4. The Secretary of the Interior's Standards are basic principles created to help preserve the distinctive character of a historic building and its site. They are a series of concepts about maintaining, repairing and replacing historic features, as well as designing new additions or making alterations. These Standards are intended to be applied in a reasonable manner, taking into consideration economic and technical feasibility.*

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

The property was constructed as a residential building; a use that is proposed to be continued.

2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

The structure is characterized by its Queen Anne detailing. Alteration of its features, materials, spatial arrangements or design will diminish the historic character of the building. The extremely large pressure treated decking threatens to alter the building's character (as it will be visible from the right-of-way from the south.)

Similarly, replacement windows should match the visual characteristics of the original windows, including size and configuration.

Fiberglass replacement doors are not in character with the age and character of the historic home. If new doors are to be introduced, they should appear as if they were originally intended for that location, and be of a material and design consistent with the style of the house.

3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*

The doors are modern in manufacture and appearance, and have no relationship to the age and style of the home. The decking, similarly, cloaks the south side of the structure and in that manner, presents a significant intrusion into the character of the home. This is exacerbated by the proposed pressure treated material, which has not been found by the DRB acceptable as visible on a historic building.

4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*

None identified.

5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

Much of the alteration will be internal. The window replacements should visually replicate the existing windows. Clapboard, shingles and window casings shall be retained.

6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials recognizing that new technologies may provide an appropriate alternative in order to adapt to ever changing conditions and provide for an efficient contemporary use. Replacement of missing features will be substantiated by documentary and physical evidence.*

As noted, window replacements should be wood core, and visually replicate the existing 1/1 windows.

7. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*

No chemical treatments are identified.

8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*

No archeological resources have been identified at this location.

9. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.*

The extensive decking introduces significant new construction that will alter the physical characteristics of the historic building. Proposed to be constructed of pressure treated lumber, the deck system has the potential to significantly impact the defining characteristics of the home.

Even as the introduction of three new doors is modestly arranged within existing building openings, the concatenation of discrete alterations (window replacement, new access decks and walkways, modern doors, expansion of paving) collectively has the potential to significantly alter the historic character of the home. Even small changes can together rob the essential integrity of a historic resource.

The request for a 50% parking waiver from the DRB will result in much less paving in the side yard, and more green space for tenant enjoyment. Given the use (6 one-bedroom apartments), such a request is reasonable.

10. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*



Although unlikely, the window replacement, door insertion, and extensive decking could be removed in the future to restore the building to its original layout and appearance.

**Items for the Board's consideration:**

- An identified pedestrian path to separate pedestrians from vehicles is required through the parking area to a building entrance.
- The location for snow storage, or a schedule for snow removal will be required.
- Parking areas must be screened from adjacent properties and the public right-of-way. A landscaping plan shall be provided to accomplish this.
- If the parking waiver is granted by the DRB, a revised site plan and coverage calculation shall be submitted to reflect the smaller parking area.
- It is recommended that the expanded parking area be paved and surrounded by curb stops to prevent parking creep. Parking spaces shall be marked and identified.
- If the parking area is expanded to 12 spaces, the applicant shall demonstrate or cause shading of at least 30% of the parking area. This plan shall be provided to staff for review.
- The location of light fixtures shall be identified on the plan.
- The location of trash and recycling shall be located on the plan. Trash should be enclosed on all four sides to prevent the refuse from blowing.
- The location of mailboxes shall be identified on the plan and subject to review and approval. Gang-style mailboxes on the sidewalk are not favored.
- The applicant shall define the location of bicycle parking. For six units, at least **3 long term spaces** (one for every two bedrooms) and **1 short term space** (1/10 units) shall be provided.
- If casement windows are introduced, they shall have a strong meeting rail factory adhered on the exterior of the sash to visually replicate the original double hung window when closed.
- Corrected window specification and cut sheets shall be provided to staff to confirm wood core windows.
- The Design Advisory Board is encouraged to reflect on the selection of door replacement.
- The first floor proposed floorplan shall be corrected to illustrate the location of a doorway into the front parlor.
- Functional Family provisions of the ordinance shall apply. Not more than four unrelated adults may occupy any unit.
- All building and life safety codes, as defined by the building inspector and fire marshal, shall apply. Per the building inspector's direction, full structural sprinklering may be required.

- As the application proposes at least five new residential units, at least one unit shall be identified as an Inclusionary (affordable) residential unit. The applicant is encouraged to consult with the Housing Trust Fund Manager in the Community and Economic Development Office for further guidance.